

# West Bountiful Municipal Code

## Chapter 17.30 LEGACY OVERLAY DISTRICT, L-O

### Sections:

- 17.30.010 Purpose
- 17.30.020 Conflicts
- 17.30.030 Permitted and Conditional Uses
- 17.30.040 Density
- 17.30.050 Design Guidelines
- 17.30.010 Purpose**

The purposes of the Legacy Overlay District are to:

- (a) Provide overlay standards for development of areas in proximity to the Legacy Highway Interchange, and the connecting transportation corridors along 500 South and Redwood Road, that will encourage the creation of an architecturally unique and vibrant blended use district reflective of West Bountiful's unique geographic location and will interface with the natural shoreland environment surrounding the Legacy Parkway and the Great Salt Lake;
- (b) Provide for development standards for more intense regional and community uses as one approaches the Legacy Intersection (500 South and Redwood Road) which decrease in intensity as one moves away from the Intersection. Developments in this district will also incorporate a mixture of compatible blended uses in close proximity to one another to provide an appropriate blend of retail, commercial, personal services, office, residential, entertainment and recreational facilities, technology based enterprises, and dining uses; and to facilitate safe, attractive, and convenient pedestrian circulation and minimize conflicts between pedestrians, equestrian uses, and vehicles;
- (c) Provide open spaces, connections, and integrated landscaping, furnishings and lighting to encourage and promote the creation of destination centers as well as an integrated, traffic- and pedestrian-friendly development design;
- (d) Provide design flexibility and efficiency in land use and the siting of buildings, services and infrastructure, including the opportunity to increase building height and/or density and reduce pavement areas where appropriate;
- (e) Facilitate vehicle traffic in and out of the Blended Use and Agricultural Districts from major roadways while preserving the pedestrian-friendly character of these districts by establishing convenient and logical vehicular circulation paths with properly spaced and signalized intersections; and create attractive streetscapes that facilitate vehicular and pedestrian travel while maintaining thoroughfare separation from the pedestrian zones.
- (f) Enable the City to identify certain Development Standards that must be applied to projects within the Legacy Overlay District, including those covered by a development agreement, while providing flexibility for projects covered by a development agreement to vary certain other Development Standards that otherwise would be applicable where sufficient justification or consideration is given to alter generally applicable standards and where the overall purposes of the underlying Blended Use and Agricultural Districts are achieved.

### **17.30.020 Conflicts**

Except as provided in Section 17.30.040, the general development standards of the Blended Use District (Section 17.26.040) shall govern to the extent they conflict with the provisions of this Chapter; otherwise, the provisions of this Chapter shall govern in the event of a conflict between this Chapter and other provisions of the Zoning Ordinance (Title 17 of the Municipal Code).

### **17.30.030 Legacy Overlay District: Permitted and Conditional Uses**

Permitted and Conditional Uses are those established for the underlying zoning district under Chapter 17.26 Blended Use District (B-U) or Chapter 17.16 Agricultural District (A-1) of the Municipal Code.

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## **17.30.040 Density**

Notwithstanding any provision of Chapter 17.26 (Blended Use District) to the contrary, development density of office, retail, or service uses in the Legacy Overlay District shall be governed by the floor area-to-land ratio (FAR, which is the net constructed floor area of all floors of a structure as a ratio to the overall land area of the parcel on which it is constructed). Parking structures shall not be included in the FAR calculation. The FAR is limited to a maximum of 0.6 (60%) in the Legacy Overlay District. Density calculations may be averaged over an entire parcel, including any areas otherwise un-buildable, provided that compensating areas of open space, outdoor play or sitting areas, trails, and/or community facilities are provided.

## **17.30.050 Design Guidelines**

- (a) General Requirements. In addition to general standards provided elsewhere in the City's Zoning Ordinance, and unless approved otherwise by the Planning Commission/City Council in connection with the approval of a development in the Blended Use District or Agricultural District, the following standards shall apply specifically to developments in the Legacy Overlay District. These standards are to be implemented in order to create a cohesive appearance unique to West Bountiful.
- (b) Purpose. The Legacy Overlay District in conjunction with the Blended Use District is intended to establish an iconic place, where the urbanized environment interfaces with the natural shoreland environment surrounding the Legacy Parkway and the Great Salt Lake. The purpose of these design standards and regulations is to enhance the economic viability and aesthetic value of properties within the Legacy Overlay District and the Blended Use District by encouraging the creation of an architecturally unique and vibrant blended use district reflective of the unique geographic location, and historic and rural character of West Bountiful City.

More specifically, the design standards and regulations are intended to support the following positive actions:

- (1) To provide for the development of a Blended Use District north from the Legacy Intersection, consisting of more intense regional and community commercial, office, entertainment, recreational, and technology based uses which decrease in intensity further north from the Intersection. The Blended Use District will also incorporate a mixture of compatible blended uses in close proximity to one another to provide an appropriate blend of retail, commercial, personal services, office, residential, entertainment and recreational facilities, technology based enterprises, and dining uses; and to facilitate safe, attractive, and convenient pedestrian circulation and minimize conflicts between pedestrians and vehicles;
- (2) To provide open spaces, connections, and integrated landscaping, furnishings and lighting to encourage and promote the creation of destination centers as well as to encourage and promote an integrated, traffic- and pedestrian-friendly development design;
- (3) To provide design flexibility and efficiency in land use and the siting of buildings, services and infrastructure, including the opportunity to increase building height and/or density and reduce pavement areas where appropriate; and
- (4) To facilitate vehicle traffic in and out of the Blended Use and Agricultural Districts from major roadways while preserving the pedestrian-friendly character of these districts by

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establishing convenient and logical vehicular circulation paths with properly spaced and signalized intersections.

(c) **Scope.** Any lot or parcel located within the Legacy Overlay District shall be subject to the standards and regulations of this Chapter. Such standards and regulations are intended to be in addition to the existing standards and regulations of the underlying zoning district and other applicable regulations of the Zoning Ordinance.

(1) **Design Theme, Standards and Guidelines** - This Chapter establishes three (3) kinds of design criteria: **Design Theme, Design Standards and Design Guidelines**.

- a. **Design Theme** establishes the expected overall look of the area, and the relationship of the built environment to the natural shoreland environment through the use of principles. These principles are not prioritized, but all are to be reinforced through the implementation of design standards and guidelines that are to be applied in planning the site layout and buildings of all developments in the Legacy Overlay District.
- b. **Design Standards** are required in addition to other standards set forth in the Zoning Ordinance and are indicated by the verb “shall.” In the event of conflict between the standards of this Chapter and other applicable provisions of the Zoning Ordinance, the interpretation and provisions of this Chapter, in conjunction with the interpretation and provisions of the Blended Use District, shall govern.
- c. **Design Guidelines** indicate additional actions that are to be taken to enhance the development design and achieve greater compatibility of development in the Legacy Overlay District. Guidelines thus use the verb “should” signifying that the guidelines are desirable objectives to be achieved but may not be possible for every given development situation.

(d) **Rules of Interpretation.**

- (1) **General.** All provisions, terms, phrases and expressions contained in this Chapter shall be liberally construed to accomplish the purposes of this Chapter in conjunction with the established purposes of the Blended Use District.
- (2) **Conjunctions.** Unless the context clearly indicates to the contrary, conjunctions shall be interpreted as follows.
  - a. “And” indicates that all connected items, conditions, provisions or events shall apply.
  - b. “Or” indicates that one (1) or more of the connected items, conditions, provisions or events shall apply.
- (3) **Mandatory and Discretionary Terms.** The word “shall” is always mandatory. The word “should” means that the matter described ought to be accomplished if reasonable and possible under the circumstances. The word “may” is permissive.

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- (4) Non-Technical and Technical Words. Words and phrases shall be construed according to the common use and understanding of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
- (e) Development Project Evaluation
- (1) Development Characteristics. Development within the Legacy Overlay District shall exhibit design components and characteristics, such as those set forth below, which set the development apart from a standard subdivision and/or traditional site plan approval accomplished under this Title:
- a. Human-scaled building architecture;
  - b. Use of shoreland style landscaping;
  - c. Viewshed protection for the Legacy Parkway and the Legacy Preserve;
  - d. Appropriate use of open space;
  - e. Use of public and private amenities.
- (2) Evaluation Criteria. Each development proposal for development within the Legacy Overlay District shall be evaluated based on its compatibility with:
- a. The West Bountiful City General Plan, 2006-2026 and all subsequent amendments.
  - b. The West Bountiful City Municipal Code.
  - c. The purpose and development standards of the Legacy Overlay District as set forth in this Chapter;
  - d. The purpose and development standards of the Blended Use District and/or Agricultural District (in accordance with the base zoning of the proposed development) as set forth in the Municipal Code.
  - e. The purpose and design of the Legacy Parkway and Legacy Preserve as set forth in the Legacy Parkway Scenic Byway Master Plan; and
  - f. Any other City-approved study applicable to the subject property.
- (3) Burden of Persuasion. An applicant shall have the burden of showing that the proposed uses, project design, and location of utilities and facilities meet the requirements of this Chapter.
- (f) Development Design Pattern Book

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- (1) Development Design Pattern Book Required. In addition to applicable requirements of this Title and other provisions of the Zoning Ordinance (Title 17), all applications for the development of property in the Legacy Overlay District shall include a development design pattern book. Notwithstanding the foregoing, this requirement will not be imposed on any residential construction that is not a part of the development of a proposed subdivision or PUD (excluding any subdivision that qualifies for a small lot subdivision process subject to the provisions of Section 16.16.020(E) of the Municipal Code).
  - (2) Development Design Pattern Book Approval. The development design pattern book shall be reviewed and approved by the City in conjunction with an application for conceptual site plan and/or conceptual subdivision application.
  - (3) Development Design Pattern Book Submittal Requirements. The development design pattern book shall provide and address the following:
    - a. Written descriptions and graphic illustrations explaining how the development complements the physical form of the property and how the theme, standards, and guidelines found in this Chapter are to be integrated into the design of the development;
    - b. Written descriptions and graphic illustrations explaining the proposed conceptual architectural design, building elevations, and other such related design schemes; and
    - c. Written descriptions and graphic illustrations that clearly describe proposed open spaces, landscaping ideas, pedestrian pathways, furnishings, lighting and related entry way features and/or amenities.
    - d. Effect of Development Plan Approvals. Upon acceptance of a conceptual plan and the associated development design pattern book by the City, further development applications such as subdivision plat and site plan approval for development within the Legacy Overlay District shall comply substantially with the conceptual plan approval (subject to regulations of the Blended Use District ordinance (Chapter 17.26)) and the development design pattern book.
- (g) Design Theme.
- (1) The Design Theme describes the general feeling of the Legacy Overlay District, utilizing a series of principles as follows.
    - a. Principle #1 – Context Sensitive – the setting, topography and landscape should reflect and embrace the unique qualities of the Great Salt Lake shorelands and Legacy Parkway environment, which can be described as:
      - i. Broad open spaces and skies with expansive vistas;
      - ii. Gradual undulating lines;

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- iii. Sense of openness or breeziness;
  - iv. Low, native, grassy meadow and upland vegetation;
  - v. Natural materials and textures.
- b. Principle #2 – Transitional – urban uses and districts should merge and respond to the shoreland environment, which can be described as:
- i. Incremental and progressive;
  - ii. Reinforcing a “sense of arrival” upon approaching the Legacy Intersection;
  - iii. Creating a “sense of entry” at edges of the Legacy Overlay District, particularly on the west;
  - iv. Responding to the needs of existing neighborhoods and uses;
  - v. Encouraging the formation of unique districts and neighborhoods.
- c. Principle #3 – Balance – uses and development should create a lively and spontaneous “West Bountiful” feel, which can be described as:
- i. Blended use and multi-dimensional;
  - ii. Natural and open to the west;
  - iii. Obviously urban as one approaches the Legacy Intersection;
  - iv. Responsive to existing uses and neighbors;
  - v. Soft and open between differing uses.
- d. Principle #4 - Simplicity – the overall appearance can be described as:
- i. Clean, simple lines;
  - ii. Bold gestures that recall organic forms on the edges;
  - iii. Linear and urban as one approaches the Legacy Intersection;
  - iv. Limited color palette;
  - v. Low contrast;
  - vi. Uncluttered;

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- vii. Serenely animated.
- e. Principle #5 - Human-Scaled – the built setting is to reflect the human experience in the Legacy Overlay District through:
  - i. Structures proportioned to people instead of vehicles;
  - ii. Comfortably scaled spaces;
  - iii. Low-profile forms hugging the horizon;
  - iv. Pedestrian-friendly amenities;
  - v. Interesting details and textures;
  - vi. Slow-paced, with places to pause;
  - vii. Appealing to the senses.
- f. Principle #6 - Natural or Natural Appearing Materials – the natural or natural appearing materials of the Legacy Overlay District are:
  - i. Stacked stone, cultured stacked stone or stone clad;
  - ii. Natural or stained wood, wood siding, and cement fiberboard with suitable textures and colors;
  - iii. Decorative concrete or block, with suitable textures and colors;
  - iv. Stucco accenting, with suitable textures and colors;
  - v. Colored concrete with suitable textures and colors, and crushed gravel surfaces;
  - vi. Subtle, non-reflective colors and stains.
- g. Principle #7 - Natural Vegetation - The natural vegetation and patterns of the Legacy Overlay District are:
  - i. Informal placement of plantings;
  - ii. A wide variety of species, mixed together, and no invasive plantings;
  - iii. Subtle floral displays and colors;
  - iv. Grassland or meadow appearance;

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- v. Multiple-season interest;
  - vi. Predominance of perennial grasses and forbs;
  - vii. Large, rural shade trees;
  - viii. Ornamental shrubs, trees and landscape areas focused on native species;
  - ix. Drought-tolerant, water-wise and low-resource consumption plantings.
- h. Principle #8 - Accents – The natural and man-made accents supported in the Legacy Overlay District are:
- i. Landscape boulders, rustic farm materials and similar rural features typical of the surroundings and historical setting;
  - ii. Plaza and meeting areas that are comfortable and attractive;
  - iii. Grassy swales and berms;
  - iv. Open fencing styles;
  - v. Natural and soft surface trails;
  - vi. Terraced walls with limited heights;
  - vii. Natural-appearing water features;
  - viii. Furnishings, lighting and artistic embellishments that reinforce the natural shoreland setting and traditions.
- (h) Mandatory Design Standards.
- (1) Commercial, Industrial, or Institutional Building Architecture – Buildings and structures are to enhance the visual environment of the Legacy Overlay District by blending into the overall appearance of the shoreland environment.
- a. The architectural building design shall consider the visual orientation to the Legacy Parkway, regional and local streets, access roads and pedestrian pathways within the Legacy Overlay District to create an attractive appearance and views.
  - b. The apparent mass of buildings or structures shall be minimized through articulation and use of materials. A variety of vertical and horizontal planes, roof pitches, roof lines, windows, reveals, and alcoves shall be used to create facade variation, shadows, corners, and architectural interest.



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- c. Where multiple story or multiple-story appearing buildings are constructed, the building design shall incorporate single-story heights for entryways, office space, and other such usable spaces to create a tier effect to the building. Multiple story buildings shall be set behind the single-story areas as viewed from the Legacy Parkway.
  - d. Buildings and structures shall generally appear to be proportional or in scale with other buildings within the immediate vicinity, specifically with regards to bulk, height, and appearance.
  - e. All building facades should face adjacent streets with primary entrances and treatments. Setbacks on other streets should be sufficiently consistent and treated in a holistic manner in order to encourage the formation of distinct neighborhoods and districts.
  - f. When facades face the Legacy Parkway, a regional street (such as 400 North, 1450 West, or Redwood Road), or any pedestrian pathway within the Legacy Overlay District or the Legacy Preserve, the architectural design shall incorporate windows, doorways, entryways, canopies, pillars, and other such features to accent the sense of a “front entrance” to a building or structure. For multiple story or multiple-story appearing buildings or structures, additional elements such as windows, balconies, overhangs, and canopies shall also be incorporated in upper levels to frame and provide a human scale appearance to such buildings.
  - g. Natural or natural-appearing materials, such as stone, cultured stone, and wood, shall be the bold gestures used in the architectural design of all buildings. Decorative concrete or block, tile, cement fiberboard, and other similar appearing materials may be used as the other main materials in the building design. Substantial or prominent use of stucco or unnatural appearing materials such as metal, vinyl and plastics is prohibited.
  - h. Colors and finishes shall complement the shoreland environment. Stains, flat paints, and matte finishes are required. Reflective, glossy or shiny paints and finishes are prohibited.
- (2) Office and Residential Building Architecture – Office and residential styles and designs should enhance the Legacy Overlay District by blending into the overall appearance of the shoreland environment. The resulting forms and styles should reflect a unique and different design and layout than is typically found in other office and residential projects in the region.
- a. The building layout and architectural design shall consider the visual orientation to the Legacy Parkway, regional and local streets, access roads, pedestrian pathways and open spaces within the area, or where otherwise deemed applicable to create an attractive appearance when viewed from these areas.

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- b. The apparent mass of all office and residential use buildings or structures shall be minimized through articulation and use of materials. A variety of vertical and horizontal planes, roof pitches, roof lines, windows, reveals, and alcoves shall be used to create facade variation, shadows, corners, and architectural interest.
  - c. When facades face the Legacy Parkway, a regional or local street, an access road or any pedestrian pathway within the Legacy Overlay District, or where otherwise deemed applicable, the architectural design shall incorporate porticos, entryways, and other such features to indicate a street front entrance. Additional elements such as balconies and other such overhangs shall also be incorporated in upper levels of multi-story buildings to frame and provide a human scale to such buildings.
  - d. Natural or natural-appearing materials, such as stone, cultured stone, and wood, shall be the bold gestures used in the architectural design of all residential use buildings. Wood siding, cement fiberboard siding, and other similar appearing materials may be used as the other main materials in the design of all residential use sections of such buildings. Substantial or prominent use of stucco or unnatural appearing materials such as metal, vinyl and plastics is prohibited.
  - e. Colors and finishes shall complement the Legacy Parkway Corridor environment. Stains, flat paints, and matte finishes are required. Reflective, glossy or shiny paints and finishes are prohibited.
- (3) Grading and Drainage – The relatively flat, slow-draining environment of the area often produces wetland areas and presents a challenge for proper drainage if the land is to be developed. Every effort is to be made to work within the natural drainage patterns of the land and minimize grading that would disrupt the natural system and appearance of the area.
- a. The amount of grading of the land shall be minimized to avoid excess erosion, visual scarring, and other similar impacts.
    - i. Structures and exterior spaces shall be blended into the natural contours of the site.
    - ii. Cut-and-fill on sites shall be balanced to the greatest degree possible.
    - iii. Manmade contouring shall mimic natural contouring and shall not begin or end with severe or abrupt edges.
  - b. The use of retaining walls shall be minimized. If necessary, incorporate or blend walls into the design of the building or parking areas and return to the natural grades in the wetland and landscaping areas.

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- c. Grading and drainage plans shall implement erosion control measures to ensure that construction activities do not compromise the overall natural drainage patterns and system of the area.
- (4) Landscape and Open Space Areas— Landscape and Open Space Areas are to be used to enhance the Legacy Overlay District and soften the transitions between the built and natural areas. Landscape and Open Space Areas include vegetated areas as well as "non-vegetative" elements, such as sidewalks, trails, plazas, and other pedestrian-oriented hardscape areas.
- a. Where development sites are adjacent to the Legacy Parkway, at least 50% of the required landscaped/open space area shall consist of native, informal or natural appearing plantings.
  - b. All non-built, non-parking lot surface areas shall be landscaped. Dedicated walkways, plazas, and other pedestrian-oriented hardscape areas may be included as landscaping, provided that they do not exceed twenty (20) percent of the required minimum landscaping requirement. As used herein, hardscape means sidewalks, concrete or asphalt trails, plazas, and other non-vegetative construction located in areas designated as landscaping.
  - c. The landscape plan of each site shall be unified both internally and externally, and relate to the larger context of the surrounding community. All landscape plans shall consider the context of the Legacy Parkway Corridor, the Great Salt Lake shorelands and the surrounding environment and its unique contribution to the character of the community.
  - d. The landscape plan shall include a pedestrian circulation element that shows interconnectivity with surrounding sidewalks, trails, and access to open space areas. Each development is to provide appropriate pedestrian connections to usable open space and trail amenities to create various connections to the Legacy Parkway Trail System.
  - e. Developed area landscapes adjacent to the Legacy Parkway shall utilize a mixture of ornamental and native or local climate plantings. Predominant plantings shall include ornamental grasses, shrubs, and wildflowers that complement the Legacy Parkway environment, with no invasive plantings. Large areas of annual plants and/or bright colors shall be avoided.
  - f. Landscaped areas adjacent to the Legacy Parkway shall primarily consist of or be enhanced with native or local climate shrubs, perennials, and ornamental grasses. Plants with the potential to become invasive weeds in such areas are prohibited.
  - g. Non-linear transition areas between the developed areas and the natural areas adjacent to the Legacy Parkway shall be created and intermingled with various styles and plant species to soften the appearance of any transition line. An appropriate barrier element, such as steel edge, shall be used to prevent

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undesirable encroachment or overgrowth between natural and formal plantings.

- h. The landscape plan shall be coordinated with the placement of utility elements to mitigate their impact and reduce the potential for conflicts. Proper landscape design shall be utilized to mitigate the visual impact of all site utility elements such as overhead power lines, transformers, meter boxes, and fire protection devices.
  - i. Landscaped areas shall be prepared with soils and slopes suitable with their natural surroundings to encourage healthy plant growth and proper drainage. The landscape plan shall address the measures to be taken to properly care for and maintain the landscaped areas.
  - j. Water elements, walls, landscape boulders, and other landscaping features shall generally be used in a natural looking manner to complement the appearance of the shoreland environment. Within plazas and other “urban” portions of the site, more expressive and contemporary expressions should be allowed and encouraged.
- (5) Off-Street Parking – Parking is a necessity for the varied uses and amenities in the Legacy Overlay District. In order to support the formation of a unique and desirable “place,” parking should be designed in such a manner as to enhance the visual appeal and experience of working, playing or living in a special area.
  - a. Parking areas shall be segmented or spatially separated and may be connected together by access lanes, green space, stream corridors, or pedestrian pathways. Large, single-standing, or expansive parking or pavement areas are prohibited.
  - b. Parking areas should be buffered from adjacent residential and mixed use properties and screened from streets so automobiles are not visible below the average headlight height. Screening methods shall include a blend of the following: undulating landscaped berms, low walls and fences, vegetated screens and plantings.
  - c. Parking lots and service areas should be laid out and designed in a fashion similar to streets, in order to create positive and attractive streetscapes, minimize pedestrian/vehicle conflict and avoid the sense of non-descript and utilitarian service areas.
  - d. Access drives, internal circulation drives, parking areas, and pedestrian walkways shall be designed to provide safety and convenience for both motorists and pedestrians and to ensure access for the physically disabled. Areas where pedestrian walkways cross driveways shall be constructed of colored and/or raised concrete, concrete unit pavers, brick or of other material and design so as to differentiate the area as a pedestrian/vehicle interface.

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- e. Parking areas shall incorporate a limited palette of colors and textures to define landscaped islands, pedestrian pathways, loading/unloading areas, and other such amenities to soften and improve the visual appeal of impervious surfaces.
  - f. Ornamental entryway plantings shall be placed on both sides of every drive accessing a public street to create a unified image. The ornamental entryway for this area may consist of artistic sculptures, landscaping features, monument signs, or other elements designated by the City.
  - g. Direct access to individual parking lots or pavement areas onto major arterial accesses shall be minimized. Parking lot design and placement shall consider future development on adjacent sites and the need for interconnections.
  - h. Traffic circulation patterns should direct commercial, industrial, and institutional traffic onto arterial and collector streets and not local residential streets.
  - i. Multiple-use or sharing of parking and parking areas is encouraged, as long as any needed parking requirement modifications are approved, as allowed by the Zoning Ordinance (Title 17).
- (6) Fences and Walls – The use of fences and walls is to be minimized in the Legacy Overlay District.
- a. Berms or landscape plantings shall be the primary means for screening or for establishing needed spatial separation.
  - b. Where security and access controls are needed, an open style fence or semi-private designs shall be utilized. Under limited or intermittent circumstances, a solid fence or wall up to four (4) feet high may be located atop a berm for security or screening purposes.
  - c. Walls and fences, if constructed, shall use materials and styles to complement the architectural style of the buildings or the Legacy Parkway Corridor environment. Retaining walls shall be used only for significant retaining needs and shall be minimal in height.
  - d. Open access to the pedestrian pathway or trail systems shall be provided and shall not be impeded by the use of fencing or walls.
  - e. The use of sound walls is strictly prohibited and shall not be used to separate development within the zone from the Legacy Parkway or the Legacy Preserve.
- (7) Outdoor Lighting – Maintaining dark skies is an important consideration for enhancing the character and natural intrinsic quality of the area. Lighting is to be minimized within and around the Legacy Parkway, and may transition up in intensity as one proceeds east into other areas of the City.

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- a. Lighting shall generally be used only where it is needed for safety and visibility. Lighting levels shall be scaled back to the minimal levels needed to achieve the lighting's purpose.
  - b. Fixtures or elements producing light shall use the correct bulb type to achieve the lowest wattage necessary. Lighting elements shall be hidden or utilize full-cut-off shields to eliminate shining or reflecting up into the night sky and to minimize glare and light trespass beyond the area where lighting is needed or onto adjacent properties.
  - c. Self-regulating on and off controls shall be used where lighting is needed periodically, but not continuously, and such controls shall be set to their proper operation times.
  - d. Up-lighting shall be used sparingly for accenting architecture, landscaping, and signage. Where up-lighting is used, a narrow angle focused fixture with low wattage lamp shall be used.
  - e. Lighting shall be arranged or directed so as to reflect the light away from adjacent properties and to prevent glare for street traffic. The intensity of light at adjoining residential property shall not exceed 0.1 foot candles and/or adjacent to other zones shall not exceed 0.5 foot candles.
  - f. A lighting plan shall be submitted for review and shall include:
    - i. The location and height of all light poles, which shall not exceed 20 feet in height; and
    - ii. The predicted illumination levels, based on maintained illumination levels just after lamp replacement and luminary cleaning, within, at, and beyond property lines.
  - g. Designers of lighting plans shall consider shadow effects of trees, signs, buildings, screen walls or other fixed objects.
- (8) Signage – Signage is to enhance the scenic qualities of the underlying Blended Use and Agricultural Districts and shall complement the signage style used for the Legacy Parkway.
- a. Signs shall be limited to locations along main access roads to the project or development.
  - b. Business signage shall be simple and scaled to allow for sufficient identification of the operation or facility. The style, colors, and materials shall complement the architecture and design of buildings associated with the sign and shall conform to the styles, colors, and materials shown in the Legacy Parkway Scenic Byway Master Plan (Chapter 5-Parkway Style, page 13-17).

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- c. Monument and/or low profile signs shall not exceed eight (8) feet in height.
  - d. Sign copy shall consist of individual lettering and logos. Sign copy shall not be internally illuminated or animated. Electronic or changeable copy signs are prohibited.
  - e. Public, highway, or local street signage shall be similar to the design and styles depicted in the Legacy Parkway Scenic Byway Master Plan (Chapter 5-Parkway Style, page 13). Design and styles shown shall be used as a template for the design of all public, highway, or local street signs within the Legacy Overlay District.
  - f. Informational or business location markers may be allowed as part of the public signage program for streets and highways. Such signs shall be clustered together on a single sign element and shall conform to the design and styles depicted in the Legacy Parkway Scenic Byway Master Plan (Chapter 5-Parkway Style, page 13).
  - g. The following signs and devices are prohibited (along with all signs prohibited under section 17.48.070 of the Municipal Code) within the Legacy Overlay District:
    - i. Animated signs, roof signs, inflatable signs, graffiti, billboards, off-premise signs, and pole signs;
    - ii. Spotlights, flags, streamers, pennants, banners and other decorative devices for commercial advertising purposes; and
    - iii. Balloons, including cold air, helium, and other balloons.
  - h. Interpretive signs shall be designed to tell important stories or messages related to the history of the City or to the shoreland experience. These signs shall utilize a design and materials scheme that is consistent and compatible with the theme of the Legacy Overlay District.
- (i) Design Guidelines.
- (1) Viewshed Protection – Buildings and similar structures should be designed and placed where their visual impact is minimized to the greatest extent possible, as viewed from the Legacy Parkway Corridor.
    - a. Buildings should be set back a minimum of 200 feet from the Legacy Parkway Right-of-Way or to the maximum extent possible if less than 200 feet of space is available in the development parcel.
    - b. All main buildings and associated site landscaping and open space areas within 250 feet of the Legacy Parkway should be visually oriented towards the parkway.

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- c. View corridors should be created to allow visual connections easterly towards the Wasatch Mountains and westerly towards the shorelands of the Great Salt Lake. Buildings should not be massed in a manner that creates a complete visual fortress, specifically as viewed from the Legacy Parkway or any other major arterial road within the Legacy Parkway Corridor area.
  - d. All service areas and back lot uses, such as loading docks, dumpsters, and storage areas, should be located away from main building entrances and should be properly screened or visually buffered from view from the Legacy Parkway, regional and local streets, access roads or any pedestrian pathway within the Legacy Overlay District or the Legacy Parkway Corridor.
  - e. Areas for storage, equipment parking, or other such activities, should be screened and segmented into smaller spatial areas and may be connected together by access lanes, green space, and other buildings.
- (2) Open Space and Critical Lands – Open spaces are to be provided to protect and buffer critical natural areas associated with the Legacy Parkway and Great Salt Lake shorelands, and to enhance or create desirable view corridors eastwardly towards the Wasatch Mountains and westerly towards the Legacy Preserve and the shorelands of the Great Salt Lake. Development proposals shall:
- a. Identify critical lands, such as wetland areas, stream corridors, canals, and other such sensitive lands. The design and development layout should protect and/or incorporate these features as buffers, open spaces, trail and passive recreation amenities, drainage corridors, and transition areas.
  - b. Create or locate open space areas adjacent to or oriented towards the Legacy Parkway, the Legacy Preserve, or towards natural areas such as adjacent wetlands.
  - c. Incorporate open space areas into the development pattern that creates visual and/or physical connections to the Legacy Parkway and the Legacy Preserve.
  - d. Develop trailheads and trail connections as part of the open space development pattern that provides access to the public trails systems in the area.
  - e. Use critical land areas to manage drainage and storm water retention needs of development.
- (3) Public Right-of-Way, Roadway and Parking Lot Surfacing Design – Properly designed roadway and parking lot placement can create opportunities for decentralizing storm water management for the Legacy Overlay District, in conjunction with the Blended Use District, and allow effective infiltration water runoff in a more natural manner. Basic strategies include low-impact roadway layouts, narrower road surface widths, shared accesses and driveways, and open-section roadways. Additionally, streetscape elements



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are important contributors to creating a sense of place that can add to the experience of working, living, and playing within the Legacy Overlay District.

- a. 400 North, 1450 West, and Redwood Road are key roadways, providing primary access to the Legacy Overlay and Blended Use Districts from other parts of the city and other communities to the east and south. These roads should be configured and designed in a way that enhances the sense of arriving in a special district. At the same time, each road must address the functional requirements for conveying traffic.
- b. Local roadways and parking lot areas should be placed to avoid crossing slopes where significant cut and fill will be required. Roadways and parking lots should run parallel to the natural contours of the site and perpendicular to any significant slope areas. Design of the roadway network and parking lot areas may involve some give and take in achieving layouts compatible with the existing topography.
- c. Shared driveway use should be incorporated into the site and building layout, including consideration of development on adjacent sites. Residential driveways shall be not less than twelve (12) nor more than thirty-two (32) feet wide. One-way driveways used for commercial, industrial or institutional purposes shall be not less than fifteen (15) nor more than twenty (20) feet wide. Two-way driveways used for commercial, industrial, or institutional purposes shall be not less than thirty (30) nor more than forty (40) feet wide. All driveway surfaces should be sloped or crowned in a manner to evenly drain (not erode) on to adjacent vegetative areas (not onto public streets) where the runoff will infiltrate or travel via sheet flow.
- d. Public street design and development within the Legacy Overlay District, in conjunction with the Blended Use District, should reflect the proper design theme motif and be unified across the corridor. The streetscape design should include the use of, but not be limited to, the following types of elements:
  - i. Interpretive signs and kiosks;
  - ii. Street trees with decorative planting beds or decorative grating;
  - iii. Decorative light fixtures and street signs;
  - iv. Benches or places to rest;
  - v. Bike lanes and bike racks;
  - vi. Decorative waste cans and drinking fountains;
  - vii. Trailhead and spur connections to the area's trail systems.

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- (4) Architecture – buildings and structures should enhance the Legacy Overlay District (in conjunction with the Blended Use District) experience and image, as is often done in National Parks and resort areas.
- a. Building styles and themes should be harmonious with natural landscape and form and support the Parkway’s overall appearance.
    - i. Architectural lines should emphasize the horizontal, and the sense of being on a shoreland.
    - ii. Developments should use patios and outdoor spaces to transition between the built and natural environment.
  - b. Building materials should harmonize with the shoreland motif.
    - i. Use natural materials, such as wood, stone, and stucco. Avoid highly manufactured materials, such as metal, concrete, glass, and vinyl.
    - ii. Use muted colors and finishes. Avoid bright, reflective or shiny surfaces. Avoid high contrast color combinations.
  - c. Buildings should have human proportions and be in scale with other buildings in the vicinity.
    - i. Build smaller, more human-scaled buildings instead of large big-box buildings.
    - ii. Break up large buildings into smaller forms or multiple facades to reduce their apparent scale.
    - iii. Use building projections, corners, varied rooflines, balconies, overhangs, patio areas, trellises, and landscaping to break up long, continuous building walls.
    - iv. Use architectural details, windows, doors, reveals, cornices, and alcoves to add interest, shadows and human scale.
  - d. Site buildings to encourage pedestrian and bicycle use and safety.
  - e. Orient buildings to allow an attractive appearance from the Parkway.
  - f. Incorporate signage into building designs to let the architecture predominate.
- (5) Legacy Parkway Streetscape Design for Major Roads and Public Spaces - ensure consistent light fixtures, benches, trash cans, bike racks, drinking fountains, tree grates, street signs, kiosks and interpretive signs. Streetscape examples are illustrated below.

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## Street Furnishings



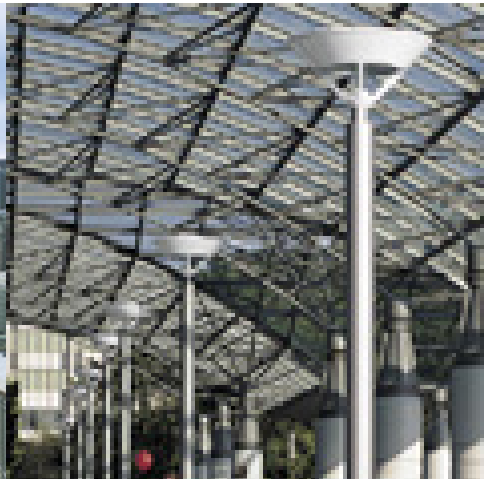
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## Lighting—Option 1



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Lighting—Option 2



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Lighting—Option 3



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(6) Design with the Natural Topography and Drainages to Minimize Disruption to the Natural Systems and Appearances.

- g. Use natural drainage ways and patterns. Maintain the balance in the water supply reaching wetlands.
  - i. Shed runoff water naturally.
  - ii. Preserve natural hydrology to enhance the wetlands protected by the Legacy Nature Preserve.
- h. Minimize grading to avoid erosion, visual scarring, and disturbing existing vegetation.
  - i. Blend structures, roads and outdoor spaces into the natural site contours.
  - ii. Balance cut-and-fill on site.
  - iii. Mimic natural contours and avoid abrupt edges.
- i. Minimize retaining walls and incorporate them into building footprints where possible.

(7) Landscaping – Landscape areas adjacent to the Legacy Parkway in a manner that enhances the natural environment and softens transitions between built and natural areas.

- a. Maintain existing trees and plants to enhance and protect natural systems.
- b. Match new landscaping to its context and reflect the shoreland motif.
  - i. Developed, urban areas should use a mixture of native and ornamental trees, shrubs, perennials and annual grasses and wildflowers that complement the shoreland motif.
  - ii. Trees are encouraged for shading, screening and privacy. Avoid large areas of annuals and bright colors. The judicious use of evergreen trees is encouraged in order to strengthen the shoreland landscape motif
  - iii. Natural areas should use native and naturalized shrubs, perennials and annuals. Trees and evergreens should be used sparingly. Avoid groupings of colorful or ornamental plants.
  - iv. Transition areas between these two types of landscaping should mix the styles and plant species to soften the line transition. Use mow strips or fence to subtly demarcate the boundary to prevent encroachment.

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- v. Select plants recommended in the Legacy Parkway Area Tree Palette below. Remove and avoid plants that may become invasive weeds.

### Legacy Parkway Area Tree Palette




Scientific Name	Common name	Mature Size	Characteristics/ comments	Min. Size at Planting
<i>Celtis laevigata</i>	Sugarberry	H 60' W 60'	Inconspicuous flowers; small fruit.	2" Cal.
<i>Celtis occidentalis</i>	Common Hackberry	H 40' W 30'	Upright, arching branches. Yellow fall color. Resistant to insects/disease.	2" Cal.
<i>Gymnocladus dioica</i>	Kentucky Coffeetree	H 50' W 35'	Erect, rounded crown. Mahogany seed pods provide winter interest. Yellow fall color. Tolerates alkaline/salt.	2" Cal.
<i>Morus alba</i> 'Stribling' Fruitless	White Mulberry	H 30' W 40'	Fast growing. Large maple-like leaves.	2" Cal.
<i>Quercus bicolor</i>	Swamp White Oak	H 50' W 35'	Dark green leaves with velvety, white undersides; Tolerant of saline soils. Yellow to orange fall color.	2" Cal.
<i>Quercus macrocarpa</i>	Burr Oak	H 55' W 45'	Dark green leaves become yellow brown in fall. Broad and spreading with maturity. Large and ornamental acorns.	2" Cal.
<i>Tilia tomentosa</i> 'Sterling Silver'	Silver Linden	H 45' W 35'	Dark green leaves are silvery, white underneath. Yellow flower in early summer. Drought and pollution tolerant.	2" Cal.
<i>Ulmus parvifolia</i>	Lacebark Elm	H 50' W 30'	Foliage turns orange-rust in fall. Attractive exfoliating bark.	2" Cal.
<i>Ulmus x. Frontier</i>	Elm	H 40' W 30'	Beautiful reddish-purple to burgundy fall color.	2" Cal.
<i>Zelkova Serrata</i> 'Green Vase'	Green Vase	H 50'	Vase shaped tree	2" Cal.



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	Zelkova	W 40'	with finely serrated leaves. Green foliage turns bronze in fall.	
Zelkova Serrata 'Village Green'	Village Green Zelkova	H 40' W 40'	Green foliage turns rusty-red in fall.	2" Cal.

### Legacy Parkway Area Tree Palette – Photo Examples

<p style="text-align: center;"><b>SUGGESTED TREES</b></p>	 <p style="text-align: center;"><i>Celtis laevigata</i> Sugarberry</p>	 <p style="text-align: center;"><i>Celtis occidentalis</i> Common Hackberry</p>
 <p style="text-align: center;"><i>Gymnocladus dioica</i> Kentucky Coffeetree</p>	 <p style="text-align: center;"><i>Morus alba</i> 'Stribling' White Mulberry</p>	 <p style="text-align: center;"><i>Quercus bicolor</i> Swamp White Oak</p>
 <p style="text-align: center;"><i>Quercus macrocarpa</i> Burr Oak</p>	 <p style="text-align: center;"><i>Tilia tomentosa</i> 'Sterling Silver' Silver Linden</p>	 <p style="text-align: center;"><i>Ulmus parvifolia</i> Lacebark Elm</p>

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<p>Ulmus x. Frontier Elm</p>	<p>Zelkova Serrata 'Green Vase' Green Vase Zelkova</p>	<p>Zelkova Serrata 'Village Green' Village Green Zelkova</p>

- c. Prepare landscaped areas with soils and slopes suited to the Legacy Parkway natural setting to encourage healthy plant growth and proper drainage.
  - d. Design water features, walls and other landscape features to appear natural and reflect the shoreland motif, particularly in highly visible areas from adjacent streets, pathways, trails and corridors.
- (8) Fences and walls - Design fences and walls for a seamless transition between the natural and developed areas.
- a. Minimize fences and walls to:
    - i. allow people, wildlife, and plant seeds to flow between spaces,
    - ii. visually connect areas,
    - iii. blend in with the environment.
  - b. Maximize access to the Legacy Parkway Trail with gates, open fences and openings in walls to the extent fences or other barriers are used.
  - c. Use open fencing for safety and access control. Avoid solid fences and walls above eye level in height.
  - d. Use berming or landscaping for screening instead of walls. Low walls integral to berms are appropriate. Avoid large retaining walls.
  - e. Avoid sound walls. The Legacy Parkway road was designed to minimize noise so no sound walls are included in its construction.
  - f. Design walls and fences to reflect the shoreland motif and Legacy Parkway designs.
- (9) Lighting - Protect the dark skies of the Legacy Parkway environment that are an integral part of its natural intrinsic quality.

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- a. Minimize lighting within the Legacy Parkway Corridor.
  - i. Use unobtrusive lighting in gateway areas to provide a transition between urban and natural areas.
  - ii. Ramp-up lighting levels based on distance from the Legacy Parkway.
  - iii. Use the minimum amount of light needed for safety and security of entries, parking, pedestrian areas, parks, trailheads, and other public places.
  - iv. Light only areas that support or encourage nighttime usage.
- b. Design lighting to enhance both the environment and Legacy Parkway aesthetics.
  - i. Use lighting fixtures in the Parkway Streetscape design program to unify streets and developments adjacent to the Parkway.
  - ii. Select fixtures that reflect the shoreland motif.
  - iii. Use hidden, full cut-off fixtures.
- c. Select light fixtures that minimize glare, light trespass and energy use.
  - i. Use the lowest wattage possible.
  - ii. Use a combination of light fixtures suited for specific areas and uses.
- d. Locate lighting selectively.
  - i. Use a greater number of small, low-intensity fixtures instead of large, high intensity lights.
  - ii. Minimize accent lighting for signs, buildings, and landscape.

(Ord. 315-10, approved 02/02/2010)

### **Chapter 17.32 GENERAL COMMERCIAL DISTRICT, C-G**

Sections:

17.32.010 Purpose.

17.32.020 Permitted uses.

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17.32.030 Conditional uses.

17.32.040 Area and frontage regulations.

17.32.050 Yard regulations.

17.32.060 Height regulations.

17.32.070 Off-street parking.

17.32.080 Development standards.

### **17.32.010 Purpose.**

The C-G general commercial district is intended to provide areas in appropriate locations where a combination of business, commercial, entertainment and related activities may be established, maintained and protected. Regulations of this district are designed to provide a suitable environment for those commercial and service uses which are vital to economic life and provide commercial services to the community. (Prior code § 9-11-1)

### **17.32.020 Permitted uses.**

**The following uses are permitted in C-G general commercial districts:**

- A. Appliance and small equipment repair, including shoe repair;
- B. Drug store;
- C. Dry cleaning;
- D. General merchandise sales;
- E. Offices, business and professional;
- F. Personal services;
- G. Public and quasi-public institutions;
- H. Convenience store;
- I. Banking and financial services;
- J. Restaurants, cafeterias and fast food eating establishments;(Prior code § 9-11-2)

### **17.32.030 Conditional uses.**

**The following uses are conditional in C-G general commercial districts:**

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- A. Liquor, retail, package store;
- B. Drinking places (alcoholic beverages);
- C. Residential health care facility;
- D. reception center, meeting hall;
- E. Motor vehicle sales and service (excluding auto body repair);
- F. Grocery store;
- G. Lumber and other building material, retail sales;
- H. Marine and aircraft retail sales, and accessories;
- I. Theaters;
- J. Commercial schools;
- K. Hospitals and medical service facilities;
- L. Hotel, Motel and extended stay facilities; and
- M. Other retail businesses which are similar to those listed in this section and Section 17.32.020, as determined by the planning commission. (Ord. 253-98 (part): prior code § 9-11-3)

### **17.32.040 Area and frontage regulations.**

There shall be no area or frontage requirement for an individual lot in the C-G district except that each shall provide at least one hundred (100) feet of frontage on any side abutting an arterial or collector street. No frontage requirement shall apply to sides of lots abutting other streets. (Prior code § 9-11-4)

### **17.32.050 Yard regulations.**

**The following regulations apply in the C-G general commercial district:**

- A. Front Yard. The minimum front yard setback for all structures shall be twenty-five (25) feet;
- B. Side Yard. The minimum side yard setback for all structures in a CG zone shall be ten (10) feet except when the planning commission determines a zero to ten (10) foot lot line is desirable or appropriate, whereupon the request will become a conditional use and shall require approval of the planning commission. Where the parcel abuts any residential zone or predominantly residential area, a side yard of at least thirty (30) feet shall be provided on that side adjacent to a residential zone/area. The side yard requirement adjacent to a residential zone may be modified if approved by the planning commission. On corner lots the side yard which faces the street shall not be less than twenty (20) feet for all structures.

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C. Rear Yard. The minimum rear yard setback for all structures in a CG zone shall be twenty (20) feet, except when the planning commission determines a zero to twenty (20) foot lot line is desirable or appropriate, thereupon the request will become a conditional use and shall require approval of the planning commission. Where the parcel abuts a residential zone or predominantly residential area, a rear yard of thirty (30) feet shall be provided. The rear yard requirement adjacent to a residential zone/area may be modified if approved by the planning commission. (Amended 9/6/94; prior code § 9-11-5)

### **17.32.060 Height regulations.**

No structure shall be erected to a height greater than one hundred (100) feet. Structures may be erected to a height greater than one hundred (100) feet upon review and specific approval by the planning commission. (Prior code § 9-11-6)

### **17.32.070 Off-street parking.**

A. Off-street access and parking shall be provided and designed as specified in Chapter 17.52.

B. No parking space shall be provided that would allow a vehicle to back out directly into a public street. (Prior code § 9-11-7)

### **17.32.080 Development standards.**

A. Site Plan. A site plan for all phases of the proposed development shall be presented for review and approval, as provided in the land development code.

B. Landscaping. No less than fifteen (15) percent of the total lot area shall be landscaped. A landscaping plan shall be approved by the planning commission as a part of the site plan review. Required side and rear yard areas may be used for driveways or parking; provided, that trees and shrubs of sufficient size and quantity to assure a visual screen from abutting residential properties are installed. All landscaping shall be adequately irrigated and maintained. The planning commission may require a performance bond or cash deposit, in an amount estimated by the planning commission as equivalent to the cost of the required landscaping, to assure installation of required landscaping within six months of approval date. A building permit shall not be granted until receipt of such bond or deposit.

C. Outdoor Storage and Merchandising. Storage and merchandising shall be accomplished entirely within an enclosed structure or as provided by the zoning matrix. (Ord. 269-00 (part); prior code § 9-11-8)